

Standard of competence means the level of proficiency to be achieved for the proper performance of duties on board vessels in accordance with national and international criteria.

STCW means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995.

STCW Code means the Seafarer's Training, Certification and Watchkeeping Code.

STCW endorsement means a certificate or endorsement issued in accordance with STCW. An STCW endorsement issued by the Officer in Charge, Marine Inspection (OCMI), will be valid only when accompanied by the appropriate U.S. license or document; and, if the license or document is revoked, then the associated STCW endorsement will no longer be valid for any purpose. References to STCW placed on a U.S. license or merchant mariner's document will suffice as STCW endorsements for the mariner serving on a vessel operating exclusively on a domestic voyage (i.e., to and from U.S. ports or places subject to U.S. jurisdiction).

[CGD 91-002, 58 FR 15238, Mar. 19, 1993, as amended by CGD 91-223, 60 FR 4525, Jan. 23, 1995; CGD 91-212, 60 FR 65487, Dec. 19, 1995; CGD 95-062, 62 FR 34534, June 26, 1997; CGD 97-057, 62 FR 51042, Sept. 30, 1997]

§ 12.01-7 Regional Examination Centers.

Licensing and Certification functions are performed only by the Officer in Charge, Marine Inspection, at the following locations:

Boston, MA	New York, NY	Baltimore, MD	Charleston, SC	Miami, FL	New Orleans, LA	Houston, TX	Memphis, TN
San Francisco, CA	Seattle, WA	Anchorage, AK	Juneau, AK	Honolulu, HI	Portland, OR		
Toledo, OH	Long Beach, CA						

Where the term *Officer in Charge, Marine Inspection*, or *Marine Inspection Office* is used within the context of this part it is to mean that *Officer* or *Office* at one of the above listed locations.

[CGD 82-033, 47 FR 28679, July 1, 1982, as amended by CGD 91-002, 58 FR 15239, Mar. 19, 1993]

§ 12.01-9 Paperwork approval.

(a) This section lists the control numbers assigned by the Office of Management and Budget under the Paperwork Reduction Act of 1980 (Pub. L. 96-511) for the reporting and record keeping requirements in this part.

(b) The following control numbers have been assigned to the sections indicated:

(1) OMB 2115-0624—46 CFR 12.02-17 and 12.03-1.

(2) [Reserved]

[CGD 95-062, 62 FR 34535, June 26, 1997]

Subpart 12.02—General Requirements for Certification

§ 12.02-3 Where documents are issued.

(a) Certificates of identification, certificates of service, certificates of efficiency, and continuous discharge books are issued to applicants qualifying therefor at any Marine Inspection Office of the Coast Guard during usual business hours.

(b)(1) Coast Guard Merchant Marine Details abroad are authorized to conduct examinations for upgrading of seamen, but are not prepared to conduct the physical examination where required. Merchant Marine Details will therefore not issue regular certificates, but temporary permits in lieu thereof. Merchant Marine Details will instruct the recipient of each temporary permit to present it to the Officer in Charge, Marine Inspection, upon arrival in the first port in the United States in which a Marine Inspection Office is located in order to exchange it for a permanent certificate.

(2) The temporary permit shall be accepted in a Marine Inspection Office as proof that the bearer has complied with the rules and regulations governing the issuance of certificates, except as noted in the body of the temporary permit. The requirements noted in the exceptions will be complied with as in the case of other applicants.

(3) The written examinations are forwarded to the Commanding Officer, National Maritime Center by Merchant Marine Details, and any Marine Inspection Office at which an applicant with a temporary permit appears may request and obtain the examination in

the case from the Commanding Officer, National Maritime Center. Any Marine Inspection Office which doubts the propriety of issuing a permanent certificate in lieu of a temporary permit which has been issued by a foreign Merchant Marine Detail shall inform the Commanding Officer, National Maritime Center fully as to the circumstances.

[CGFR 65-50, 30 FR 16640, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998]

§ 12.02-4 Basis for denial of documents.

(a) No person who has been convicted by a court of record of a violation of the dangerous drug laws of the United States, the District of Columbia, or any State or territory of the United States is eligible for an original merchant mariner's document, except as provided by the provisions of paragraph (c) of this section. No person who has ever been the user of, or addicted to the use of, a dangerous drug, or has ever been convicted of an offense described in section 205 of the National Driver Register Act of 1982 (49 U.S.C. 30304) due to the addiction or abuse of alcohol is eligible for a merchant mariner's document unless he or she furnishes satisfactory evidence of suitability for service in the merchant marine as provided in paragraph (e) of this section.

(b) An applicant who fails a chemical test for dangerous drugs required by § 12.02-9 will not be issued a merchant mariner's document.

(c) *Criminal Record Review.* The Officer in Charge, Marine Inspection, may require a criminal record check of an applicant for a merchant mariner's document issued as an original or reissued with a new expiration date. An applicant conducting simultaneous merchant mariner's credential transactions shall undergo only one criminal record check. Applicants must provide written disclosure of all prior convictions at the time of application.

(1) If a criminal record check is required by the Officer in Charge, Marine Inspection, applicants shall provide fingerprints at the time of application. The fingerprints will be used to deter-

mine whether the applicant has a record of a criminal conviction. An application may be disapproved if the individual's criminal record leads the Officer in Charge, Marine Inspection to determine that the applicant cannot be entrusted with the duties and responsibilities of the merchant mariner's document for which application is made. If an application is disapproved, the Officer in Charge, Marine Inspection will notify the applicant in writing of the reason(s) for disapproval and advise the applicant that the appeal procedures in § 1.03 of this chapter apply. No examination will be given pending decision on appeal.

(2) The Officer in Charge, Marine Inspection will use table 12.02-4(c) to evaluate applicants for merchant mariner's documents who have criminal convictions. The table lists major categories of criminal activity and is not to be construed as an all-inclusive list. If an applicant is convicted of an offense that does not appear on the list, the Officer in Charge, Marine Inspection will establish an appropriate assessment period using the list as a guide. The assessment period commences when an applicant is no longer incarcerated. The applicant must establish proof of the time incarcerated and periods of probation and parole to the satisfaction of the Officer in Charge, Marine Inspection. The assessment period may include supervised or unsupervised probation or parole. A conviction for a drug offense more than 10 years prior to the date of application will not alone be grounds for denial.

(3) When an applicant has convictions for more than one offense, the minimum assessment period will be the longest minimum in table 12.02-4(c) and table 12.02-4(d) based upon the applicant's convictions; the maximum assessment period will be the longest shown in table 12.02-4(c) and table 12.02-4(d) based upon the applicant's convictions.

(4) If a person with a criminal conviction applies for a merchant mariner's document before the minimum assessment period shown in table 12.02-4(c), or established by the Officer in Charge, Marine Inspection under paragraph (c)(2) of this section has elapsed, then the applicant must provide, as part of